



TRANSPARENCY INTERNATIONAL-PAKISTAN

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24th March, 2016

TL16/2403/2A

Managing Director,
Khyber Pakhtunkhwa Public Procurement Regulatory Authority,
Peshawar.

Sub: Discrepancy in Notice Inviting Tender.

Dear Sir,

This is with reference to the Assistant Director Capacity Building, KPKPPRA, letter No. KPPRA/
Capacity Building/ Disc/ 2015- 16/ 137/ 818-20 dated 4th March, 2016 (Copy Attached).

It is noted that many procuring agencies in the advertisement for the pre-qualification requests for certain documents without specifically mentioning the issuing of pre-qualification documents for the interested applicants.

KPPRA Rules 2014, Rule No. 36 (1)(2), specifically states that;

36. Pre-qualification process.--(1) The procuring entity engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for prequalification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria, list of documentary evidence required of contractors or consultants to demonstrate their respective qualifications and any other information that the procuring entity deems necessary for pre-qualification.

(2) The procuring entity shall provide a set of pre-qualification documents to any contractor or consultant, on request and subject to payment of document fee if applicable, which shall not exceed cost of printing and providing the documents.

Pre-qualification document must have the evaluation and sub-criteria whereas the Bank of Khyber has not given the criteria or sub-criteria of company passing in following evaluation criteria;

1. List of Staff.
2. List of contracts in hand and completed.
3. Bank statement for the last one year.

Also there is no completion period given in the pre-qualification notice or any information whether joint venture is allowed etc.

MD, KPPRA should note that the Bank of Khyber has asked from firms to provide Registration Certificate of Pakistan Engineering Council (PEC)/ Pakistan Counsel of Architects and Town Planners Pakistan (PCATP) which is not allowed under Rules of Pakistan and a firm cannot be a contractor as well an architect at the same time.

You are requested to kindly direct the Bank of Khyber to issue pre-qualification notice according KPPRA Rules 2014.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

Sohail Muzaffar
Chairman



KHYBER PAKHTUNKHWA
PUBLIC PROCUREMENT REGULATORY AUTHORITY
Add: 1st Floor, Directorate of Treasury & Accounts
Khyber Road Peshawar Ph: 091-9223590
No. KPPRA/Capacity Building/Disc/2015-16/137/818-20.
Dated: March 04, 2016

To



Chairman,
Transparency International,
Karachi.

Subject: Discrepancy in Notice Inviting Tender

Kindly refer to your letter No.TL16/1002/1A, dated February 10, 2016. Following violation is pointed out by your office which is invalid according to KPPRA Rules 2014.

The procuring entity has not mentioned the pre-qualification process which is violation of Rule 36(1) of KPPRA Rules 2014 that states as, 'the procuring entity engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for pre-qualification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria, list of documentary evidence required of contractors or consultants to demonstrate their respective qualifications and any other information that the procuring entity deems necessary for pre-qualification'.

Under KPPRA Rule 36(2) of KPPRA Rules 2014 that states as, 'the procuring entity shall provide a set of pre-qualification documents to any contractor or consultant, on request and subject to payment of document fee if applicable, which shall not exceed cost of printing and providing the documents'.

It is worth mentioning that the procuring entity has provided the pre-qualification process/criteria.

It is therefore, requested to direct the concerned section/office to avoid such mistakes and not to repeat the same in future.

Yours faithfully,

(FAISAL AHMAD) 02/16
Assistant Director Capacity Building

Copy to:-

1. Director Enforcement (KPPRA), Govt. of Khyber Pakhtunkhwa.
2. PS to Managing Director (KPPRA), Govt. of Khyber Pakhtunkhwa.

Assistant Director Capacity Building



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10th February, 2016

TL16/1002/1A

Chairman,
The Bank of Khyber,
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Head General Administration Division, The Bank of Khyber, Peshawar's Pre-Qualification Notice for Renovation of BOK Office.

Dear Sir,

This is with reference to The Bank of Khyber, Peshawar's Pre-Qualification Notice, published in daily "The News" on 6th February, 2016. It is observed that the advertisement is in violation of the KPPRA Rules 2014.

As per advertisement, "no pre-qualification document is issued for bidders". However, according to KPPRA Rules 2014, Rule No. 36(1) (2), the 'Pre-qualification process' clause, a set of prequalification document that includes evaluation criteria should be provided to the applicants. Stated as under;


36. Pre-qualification process.--(1) The procuring entity engaging in pre-qualification shall announce, in the pre-qualification documents, all information required for prequalification including instructions for preparation and submission of the pre-qualification documents, evaluation criteria, list of documentary evidence required of contractors or consultants to demonstrate their respective qualifications and any other information that the procuring entity deems necessary for pre-qualification.

(2) The procuring entity shall provide a set of pre-qualification documents to any contractor or consultant, on request and subject to payment of document fee if applicable, which shall not exceed cost of printing and providing the documents.

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 54, with request to re-invite the pre-qualification under the prescribed procedures or issue a corrigendum and extend date accordingly.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,


Sohail Muzaffar
Chairman

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Khyber Pakhtunkhwa.
2. Director General, NAB, Khyber Pakhtunkhwa.
3. Chief Secretary, Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court.
5. Managing Director, KPPRA, Peshawar.



The Bank of Khyber

PRE-QUALIFICATION OF CONTRACTORS

**RENOVATION OF BOK OFFICE AT
BRR PLAZA I.I. CHUNDRIGAR ROAD KARACHI**

The Bank of Khyber will like to engage reputed and experienced contractor/ firm based at Karachi (Registered Head Office at Karachi) to carry out renovation/ interior works at its new premises for its Treasury office (13,000 Sq.Ft. approximately) at BRR Plaza I.I. Chundrigar Road Karachi.

The contractors/ firms who are interested to participate in this regard to the captioned project, shall submit their applications duly supported with the under mentioned information/ documents on the address given below latest by 20.02.2016. Preference will be given to those firms who have at least 10 years experience in renovation/ interior works of banks/ big corporations/ multi-nationals and have successfully completed renovation/ interior works of at least one project of same nature having covered area more than 10,000 Sq.Ft.

1. Full Name, address with contact numbers, Status of firm, date of registration and proof of registered head office at Karachi.
2. List of Staff with company profile.
3. List of contracts in hand and completed during the past three years along with its cost and user satisfaction certificates related to banks.
4. NTN No. along with latest clearance certificate.
5. An undertaking by the contractor/ firm to the effect "Neither the contractor/ firm nor its Directors/ Stakeholders, as a whole or as a part, of the firm have ever been blacklisted/ defaulted by any Public department/ banks/ organization and nor in litigation with any client.
6. Valid Registration Certificate of Pakistan Engineering Council (PEC)/ Pakistan Council of Architects & Town Planners Pakistan (PCATP).
7. Bank statement for the last one year.
8. Pay Order/ demand draft of Rs. 10,000/- in the favor of "The Bank of Khyber" as the application processing fee.
9. Any other documents/ information which the contractors/ firm may like to submit.

**HEAD GENERAL ADMINISTRATION DIVISION
THE BANK OF KHYBER**
Upper Ground Floor, UG-412, 414, 416 & 447-449
Deans Trade Centre, Peshawar
Tel: 091-5273116 Fax: 091-5261117